

**Fiscal Services Division**  
**Legislative Services Agency**  
**Fiscal Note**

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SF 2219 - Human Trafficking (LSB 5087 SV)

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Fiscal Note Version – House Amendment S–5142

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**Description**

House Amendment S–5142 to Senate File 2219 requires the Iowa Law Enforcement Academy (ILEA) to set standards for curricula to include cultural sensitivity. The House Amendment adds definitions for debt bondage, human trafficking, involuntary servitude, and peonage, strikes the definition of a minor, and changes the definition of a victim. House Amendment S–5142 imposes a graduated system of criminal penalties for human trafficking, ranging from a Class D to a Class B felony. The House Amendment strikes civil penalties and forfeiture proceedings. House Amendment S–5142 states that victims of human trafficking have the same rights as other victims of crime, regardless of their immigration status.

**Background**

1. This Amendment creates new crimes. Therefore, there are no data with which to estimate the number of individuals or corporations that could be charged and convicted under the provisions of the Bill.
2. According to U.S. government estimates, there may be 18,000 to 20,000 victims of human trafficking entering the U.S. each year. The number of victims that may be in Iowa is not estimated.
3. According to the U.S. Department of State, the U.S. Department of Justice initiated prosecutions against 59 human traffickers in FY 2004, the most current data available.
4. The average State costs for one Class D felony conviction ranges from \$3,100 (court costs, probation, and indigent defense) to \$12,100 (court costs, jury trial, indigent defense, prison and parole).
5. The average State costs for one Class C felony conviction ranges from \$3,300 (court costs, indigent defense, and probation) to \$23,700 (court costs, jury trial, indigent defense, prison and parole).
6. The average State costs for one Class B felony conviction ranges from \$5,600 (court costs indigent defense, and probation) to \$61,700 (court costs, jury trial, indigent defense, prison and parole).
7. The costs stated above for the Class D, C, and B Felony will be incurred across multiple years while the offender is supervised in the correctional system, either in prison or in the community.

**Assumptions**

1. Based on the level of federal prosecutions, there will be no more than two Iowa prosecutions annually.
2. The ILEA will incur additional costs for implementing the training requirements. Federal funds may be available, or local governments may be billed for the training.

3. Victims would be eligible for victim compensation from the Crime Victim Compensation Fund. These costs are estimated to be \$6,000 per victim per year.

### **Correctional Impact**

House Amendment S-5142 is not anticipated to have a significant correctional impact. It is anticipated that there will be ten or fewer convictions under the provisions of the Bill in the next five years. These convictions would more than likely be for Class D felonies.

### **Fiscal Impact**

The maximum fiscal impact is estimated to be \$58,000 annually, as indicated in the table below. Multiple funding sources are available, as indicated in the table.

<b>Department</b>	<b>Fiscal Impact</b>		<b>Funding Source</b>
	<b>FY 2007</b>	<b>FY 2008</b>	
ILEA	\$ 27,500	\$ 27,500	Federal, State, or Local Governments
Department of Justice	6,000	12,000	Crime Victim Compensation Fund
Public Defender	1,000	2,000	State General Fund
Judicial Branch	250	500	State General Fund
Corrections Department	2,600	16,000	State General Fund
<b>Total</b>	<b>\$ 37,350</b>	<b>\$ 58,000</b>	

### **Sources**

Department of Human Rights, Criminal and Juvenile Justice Planning Division  
Judicial Branch  
Department of Corrections  
Office of the State Public Defender  
Iowa Law Enforcement Academy  
Office of the Attorney General

/s/ Holly M. Lyons

April 3, 2006

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The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.

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